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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17
18 IMMERSION CORPORATION,) Case No. C-04-04040 CW (WDB)
19 Plaintiff,)
20 vs.) **STIPULATION AND [PROPOSED]**
21 ELECTRO SOURCE, LLC,) **ORDER RESETTING CERTAIN**
22 Defendant.) **PRETRIAL DATES**
23) CTRM: Hon. Claudia Wilken
24 AND RELATED COUNTERCLAIMS)
25

1 Plaintiff Immersion Corporation (“Immersion”) and Defendant Electro Source, LLC
2 (“Electro Source”), by and through their respective counsel of record, hereby stipulate as follows:

3 1. On February 3, 2005, the Court entered a Case Management Order (docket entry
4 19) setting certain pretrial dates, including a schedule for the disclosure of expert reports in
5 October and November 2005, the completion of expert discovery on December 16, 2005, and the
6 Claim Construction Hearing and hearing on dispositive motions on February 17, 2006.

7 2. On June 15, 2005, the Court sua sponte (docket entry 47) rescheduled the dates for
8 the pretrial conference and trial to September 29, 2006 and October 10, 2006, respectively, to
9 accommodate the Court's calendar.

10 3. The Court, pursuant to an August 10, 2005 order (docket entry 66), rescheduled the
11 date for filing Joint Claim Construction Statement to September 9, 2005 and extended the date for
12 Claim Construction Discovery Cutoff to be the same date for fact discovery cutoff in the litigation.

13 4. On November 8, 2005, the Court entered an order (docket entry 78) approving a
14 stipulation of the parties to adjust certain discovery, expert disclosure, and summary judgment
15 dates, largely in light of the parties' participation in extensive discovery matters in connection with
16 post-judgment proceedings in the *Immersion v. Sony Computer Entertainment* matter, matters
17 which are currently pending before the Court.

18 5. As a result of the extensive discovery in the *Immersion v. Sony Computer*
19 *Entertainment* matter, the intervening December holidays, and other professional commitments on
20 unrelated matters, as well as other factors, the parties have been unable to conduct the depositions
21 of fact witnesses who were properly subpoenaed and noticed as of the fact discovery cutoff as well
22 as appropriate follow up discovery.

23 6. The parties also are attempting to explore settlement and the additional time would
24 facilitate discussions that may take place.

25 7. In light of the foregoing, the parties have agreed, subject to the approval of the
26 Court, to allow additional time to conduct such discovery and to correspondingly adjust dates in
27 the Court's Case Management Order as set forth below. In selecting the dates below, the parties
28

1 are mindful of the Court's calendar and unavailability for scheduling hearings during the months
2 of June, July and August 2006.

3 THEREFORE, the parties stipulate to the following changes to the Court's Case
4 Management Order, subject to the approval of the Court:

Event	Current Deadline, per Case Management Order	Proposed New Deadline
Complete Follow-Up Discovery and Depositions of Witnesses Properly Subpoenaed and Noticed As of October 7, 2005 Cutoff Date	January 6, 2006	April 28, 2006
Opening Expert Reports	January 27, 2006	May 26, 2006
Rebuttal Expert Reports	February 24, 2006	June 30, 2006
Completion of Expert Discovery	March 24, 2006	August 4, 2006
Claim Construction Hearing and Hearing on Dispositive Motions	May 12, 2006	September 15, 2006
Pretrial Conference	September 29, 2006	September 29, 2006 (or other date convenient to the Court)
Jury Trial	October 10, 2006	October 10, 2006 (or other date convenient to the Court)

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Dated: January 25, 2006,

IRELL & MANELLA LLP

By: /s/ Richard M. Birnholz
Richard M. Birnholz

Attorneys for Plaintiff
IMMERSION CORPORATION

Dated: January 25, 2006,

BROWN RAYSMAN MILLSTEIN FELDER &
STEINER LLP

By: /s/ Allan Gabriel
Allan Gabriel

Attorneys for Defendant
ELECTRO SOURCE, LLC

IT IS SO ORDERED.

Dated: _____, 2006

The Honorable Claudia Wilken
United States District Judge

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1. Concurrence in the filing of STIPULATION AND [PROPOSED] ORDER
RESETTING CERTAIN PRETRIAL DATES has been obtained from each of the other
signatories, which shall serve in lieu of their signatures on the document.

Executed in Los Angeles, California on January 25, 2006.

/s/ Richard M. Birnholz
Richard M. Birnholz

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